

NEJAC Federal Facilities Working Group Conference Call December 20, 2000

Participants

Doris Bradshaw (Center for Concerned Citizens Committee)
Brandon Carter (FFRRO/EPA)
Catherine Douglas (DOI)
Rita Harris (Sierra Club - NGO/NEJAC Enforcement Subcommittee)
Stuart Harris (Attorney for the Umatilla Nation - Tribal)
Patrice Kent (Private Contractor for the Yakima Nation - Business)
George Letbetter (DoD)
Mildred McClain (Citizens for Environmental Justice - Community/Savannah State University)
Joyce Olin (EPA)
Len Richeson (DoD)
Lenny Seigel (Citizens for Public Environmental Oversight - NGO)
Archie Hill (Marasco Newton Group)
Karen Santora (Marasco Newton Group)

Introduction

Brandon Carter began the conference call by conducting a roll call and asking the participants to introduce themselves.

NEJAC Report

The main discussion involved events from the NEJAC meeting with subsequent side topics raised by the Working Group members.

Patrice Kent provided an overview of the discussions that she attended at the national NEJAC meeting held in Washington, DC, on December 12-14, 2000. She discussed Federal Agency initiatives relating to environmental justice. Programs that she thought were of particular interest to the Working Group included the following: 1) the Department of Interior's Persistent Organic Pollutants (POP) work because of its impact on native communities in the arctic region; 2) various Department of Defense initiatives, quite a number of which involved Native American lands, including Formerly Used Defense Sites in Alaska and chemical demilitarization programs in Indian country, and 3) Department of Energy programs related to nuclear legacy, energy resource development, and utilities issues. Additional programs presented at the NEJAC meeting included:

- The Department of Justice's National Priorities List activities involving litigation and enforcement actions and its Community Pollution Prevention Enforcement Program;
- The Department of Transportation's work with the Environmental Justice Review Committee to study the Title 6 rule;
- The National Institutes of Health's work to increase minority participation in the health care field; its research initiatives on children and agricultural worker health, pesticide impacts, and asthma studies; and its work translating outreach material for non-English speakers;

- The Department of Labor's environmental justice training initiatives; and
- The Environmental Protection Agency's work to improve coordination of environmental justice initiatives among Federal Agencies.

Patrice Kent related that during the NEJAC meeting, EPA presented environmental justice guidance, which prompted a great deal of discussion over how the guidance had been developed and whether or not the NEJAC would have the opportunity to provide input into the guidance.

Brandon Carter then took a moment to introduce Doris Bradshaw. She is the eleventh member of the Working Group and played a vital role in creating the group that established the Working Group on issues concerning environmental justice.

Next, Brandon Carter presented the discussion related to the Federal Facilities Working Group that took place at the NEJAC meeting. There were a number of substantial comments raised at the NEJAC meeting regarding how the participants of the Working Group were chosen, how its mission had been defined, and how the Working Group will interface with the community at large.

Mildred McClain then raised the question of how the Working Group will incorporate community involvement into their discussions and recommendations. She suggested that the workbook being developed for the Working Group members include a list of the NEJAC issues raised regarding community involvement to allow the Working Group to study and address these issues. She also suggested possible communication and coordination of activities with the POCDC (People of Color/Disenfranchised Communities) community to gain insight and ensure that under represented tribal communities and communities of color have their voices heard, particularly in respect to DOE and DoD site issues.

In response to questioning, Brandon Carter gave an overview of the POCDC group and how it came into being. The group is comprised of Federal Facilities representatives and works to: 1) concentrate on issues of concern to the community, and 2) develop partnerships with Federal Agencies and Federal Facilities in order to cleanup Federal Facilities and study health issues. The group currently is working with six different Federal Agencies to develop several pilot projects for 2001.

Patrice Kent asked that Brandon develop a background summary of the POCDC group and make it available to the Working Group in the workbooks that will be distributed at the January meeting. Mildred is to supply the information to Brandon.

The POCDC group has expressed some interest in perhaps coordinating activities with the Federal Facilities Working Group. Mildred McClain stressed that at this point the group is most interested in communicating with the Working Group to determine whether the two groups hold compatible interests and have similar needs. She suggested that the most productive course of action would be to have the chairs of the two groups speak with one another to determine whether similar interests exist.

Brandon Carter expressed that coordination of this kind might help soothe the feelings of the

POCDC community, given that they were the ones who initially pushed for the development of a Working Group.

In returning to the discussion regarding the NEJAC meeting's Federal Facilities Working Group discussion, Brandon Carter noted that many participants at the NEJAC meeting expressed interest in being involved and providing input on how the Working Group should be organized.

In an aside, Mildred McClain expressed that the goal of the Working Group should go beyond developing guidelines for policy changes (e.g., to develop a body to whom community members could register their complaints with Federal Facilities). Len Richeson noted that this was the goal of the Working Group, that they are working to create the surveys and needs assessments necessary to develop recommendations. These recommendations may include policy changes.

Rita Harris expressed concern that the majority of input into the Working Group was coming from the Federal Agencies, rather than the communities, and added that the case study approach being proposed by the Working Group would leave large issues unaddressed and many communities unrepresented.

Brandon Carter acknowledged the importance of including the community perspective in the Working Group. He suggested the Federal Facilities Environmental Restoration Dialogue Committee's (FFERDC) report and its recommendations be used as a basis to develop questions and create a focus for the Working Group's work.

Mildred McClain noted that she did not feel that the larger community issues were being raised and addressed. She expressed the need for the NEJAC to study issues that have been raised in the past regarding community issues. She noted that much time, money, and effort had been put into creating the FFERDC report, but questioned what policies and programs had been developed as a result of the report's recommendations. Brandon Carter offered that an action for the Working Group could be to review the FFERDC report and determine what actions have been taken/should be taken as a result. A copy of the FFERDC report will be included in the workbook to be provided to the Working Group in January.

Doris Bradshaw then expressed concern that not enough community members were participating in the Working Group. Brandon Carter responded that this is a federal advisory council and that attempts have been made to make it a representative body, which he feels has been accomplished. Four community groups and several tribes are participating members in the eleven member Working Group. Mildred McClain added that the structure of the Working Group should mirror the NEJAC, with participation from academia, communities, industry, and Federal Agencies, but stressed the need to make sure that communities are well represented and that people working "on the ground" at Federal Facility sites are included in the process. Brandon Carter again expressed that he feels the Working Group is balanced in its representation, and reemphasized the need for Federal Agency participation. He discussed the need for creating a balanced group in order to keep issues relevant and have all entities participating without the Working Group become so large that it is difficult to manage.

Review of 12/6 Action Items

Wednesday, January 24, 2000, was chosen as the date for the Working Group's first face-to-face meeting. The meeting will take place all day from 8:30 AM to 5:30 PM. Brandon Carter noted that he would like to minimize the late arrivals and early departures to the meeting. He will contact all participants directly to make travel arrangements.

The next Working Group conference call will be held on January 17, 2001. Brandon Carter asked that the week before the meeting (by January 10) all participants provide their ideas for proposed case studies. Brandon Carter will then assemble the case study approaches and send them out for review and discussion by the Working Group.

Rita Harris questioned whether case study suggestions were being solicited from communities. Brandon Carter noted that suggestions for possible case studies were provided at the NEJAC meeting. Rita Harris noted that many communities were not represented at the NEJAC meeting. Brandon Carter cautioned against developing a formal request for case studies from the EPA. Lenny Seigel asked that Mildred McClain develop a request for case studies, and stated that he would distribute it through his distribution list. Doris Bradshaw also offered to put out a request through her distribution sources as well. She again stated her concern for using a case study approach, which she feels would leave out a large number of community concerns.

Next Steps

- The next Federal Facilities Working Group conference call is scheduled for January 17, 2001, from 1:00-2:30 PM EST.
- Working Group members are to provide their ideas for possible case studies to Brandon Carter by January 10, 2001. He will assemble the case study approaches and send them out to the Working Group for review and discussion. These proposed case studies will be discussed during the January 17 conference call.
- The Working Group is to provide Brandon Carter with a short bio (several paragraphs to one-page in length) by January 17, 2001, to be included in the Working Group workbook.
- Mildred McClain is to provide Brandon Carter with background information on People of Color/Disenfranchised Communities to be included in the workbook.
- Brandon Carter is to include a copy of the FFERDC report in the workbook.